

*City of Las Vegas*

**AGENDA MEMO**

**PLANNING COMMISSION MEETING DATE: JUNE 26, 2008**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: TMP-28062 - DONALD GARDENS II - APPLICANT/OWNER:  
PAY DIRT DEVELOPMENT & INVESTMENT, LLC**

---

**\*\* CONDITIONS \*\***

**STAFF RECOMMENDATION: APPROVAL**, subject to:

**Planning and Development**

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, this action is void.
2. All development shall conform to the Conditions of Approval for General Plan Amendment (GPA-12234), Rezoning (ZON-12235) and Special Use Permit (SUP-12705).
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
5. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions ("CC&R"), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements ("DPMR") as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR is to include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations.

**TMP-28062 - Conditions Page Two**  
**June 26, 2008 - Planning Commission Meeting**

6. All development is subject to the conditions of City Departments and State Subdivision Statutes.

**Public Works**

7. The Final Map for this site should be labeled as a "Merger and Resubdivision".
8. The property lines/limits for this site must eliminate the ingress/egress areas on Dorrell Lane and Donald Road.
9. A minimum of two lanes of asphalt pavement on the major access street(s) adjacent to this site, and a working sanitary sewer connection shall be in place prior to final inspection of any units within this development. Full permanent improvements on all major access streets, including all required landscaped areas between the perimeter wall and adjacent public street, shall be constructed and accepted by the City prior to issuance of any building permits beyond 50% of all units within this development. All off-site improvements adjacent to this site, including all required landscaped areas between the perimeter walls and adjacent public streets, shall be constructed and accepted prior to issuance of building permits beyond 75%. The above thresholds notwithstanding, all required improvements shall be constructed within 24 months of approval of construction drawings. No partial bond releases will be allowed until all perimeter roadway improvements are in place.
10. Label the private streets on the Final Map. Additionally, the private streets must be public utility easements (P.U.E.), City of Las Vegas sewer easements and public drainage easements to be privately maintained by the Homeowner's Association.
11. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
12. Site Visibility Restriction Zones (S.V.R.Z.) adjacent to public streets shall be indicated on civil improvement plans, not on Final Maps, and shall include the following note: "No walls, fences, trees, shrubs, utility appurtenances or any other object, other than traffic control devices and street light poles, may be constructed or installed within the Sight Visibility Restriction Zone (S.V.R.Z.) unless said object is maintained at less than 24 inches in height measured from adjacent top of curb, or where no curb exists, a height of 27 inches measured from the top of adjacent asphalt, gravel, or pavement street surface". Area shall be labeled as "Privately Maintained".

**TMP-28062 - Conditions Page Three**  
**June 26, 2008 - Planning Commission Meeting**

13. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
14. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.
15. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-12235 and all other applicable site-related actions.
16. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

**TMP-28062 - Staff Report Page One**  
**June 26, 2008 - Planning Commission Meeting**

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for a Tentative Map for a proposed 64-lot single-family residential development on 12.90 acres adjacent to the north side of Dorrell Lane, approximately 450 feet west of Decatur Boulevard. The proposed lots will have a minimum size of 6,500 square feet and a maximum lot size of 9,868 square feet. A previous Tentative Map (TMP-14244) was approved for a 64-lot single family residential subdivision, but this entitlement will expire on 07/27/08 requiring the submittal of this Tentative Map request. As this Tentative Map satisfies the minimum requirements of Title 19, staff recommends approval of this request.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
02/15/06	The City Council denied a Rezone (ZON-9367) from R-E (Residence Estates) and R-E [Residence Estates (under Resolution of Intent to R-PD3 (Residential Planned Development – 3 Units Per Acre) to R-PD5 (Residential Planned Development – 5 Units Per Acre) on 12.90 acres. The City Council denied a Site Development Plan Review (SDR-9587) for a 72-lot single family residential development. The Planning Commission recommended approval whereas staff recommended denial of these requests.
03/09/06	The Planning and Development Department pulled a request for a Tentative Map (TMP-11019) for a 67-lot single family residential subdivision due to the denial of the required Site Development Plan Review (SDR-9587) request by City Council on 02/15/06.
06/07/06	The City Council approved a General Plan Amendment (GPA-12234) to amend a portion of the Centennial Hills Sector Plan of the Master Plan from ML (Medium-Low Density Residential) to L (Low Density Residential) on 12.90 acres. The City Council approved a Rezone (ZON-12235) from R-E (Residence Estates) and R-E [Residence Estates (Under Resolution of Intent to R-PD3 (Residential Planned Development – 3 Units Per Acre)] to R-1 (Single Family Residential). The City Council approved a Special Use Permit (SUP-12705) for Private Streets in conjunction with a 65-lot single family residential development. The Planning Commission and staff recommended approval of these requests.
07/27/06	The Planning Commission approved a Tentative Map (TMP-14244) for a 64-lot single family residential subdivision on 12.90 acres. Staff recommended approval of this request.

**TMP-28062 - Staff Report Page Two**  
**June 26, 2008 - Planning Commission Meeting**

06/04/08	The City Council will hear a request for an Extension of Time (EOT-27873) for an approved Special Use Permit (SUP-12705) for Private Streets in conjunction with a proposed 64-lot single family residential development. The City Council will hear an Extension of Time (EOT-27874) for an approved Rezoning (ZON-12235) from R-E (Residence Estates) and R-E [Residence Estates under Resolution of Intent to R-PD3 (Residential Planned Development – 3 Units Per Acre)] to R-1 (Single Family Residential). The Planning Commission and staff recommended approval of these requests.
<b><i>Related Building Permits/Business Licenses</i></b>	
1957	An existing house was constructed at 4901 Donald Road.
1986	An existing house was constructed at 4950 Dorrell Lane.
<b><i>Pre-Application Meeting</i></b>	
05/01/08	A pre-application meeting was held to discuss the requirements for submitting a Tentative Map at the subject site.
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting is not required, nor was one held.	

<b><i>Field Check</i></b>	
05/21/08	A field check was performed and found that there are two existing houses on this property. The remaining parcels in this Parcel Map are undeveloped with natural desert terrain.

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Gross Acres	12.90

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped, Single Family Residential	L (Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-1 (Single Family Residential)
North	Single Family Residential	ML (Medium Low Density Residential)	R-PD3 (Residential Planned Development – 3 Units Per Acre)

**TMP-28062 - Staff Report Page Three**  
**June 26, 2008 - Planning Commission Meeting**

South	Single Family Residential	ML (Medium Low Density Residential)	R-1 (Single Family Residential), R-E (Residence Estates), R-PD6 (Residential Planned Development – 6 Units Per Acre)
East	Single Family Residential	ML (Medium Low Density Residential)	R-E (Residence Estates)
West	Single Family Residential	ML (Medium Low Density Residential)	R-1 (Single Family Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Purpose and Overlay Districts</b>		X	
<b>Trails</b>		X	N/A
<b>Rural Preservation Overlay District</b>	X		Y*
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

\* This project will have to be in conformance with the intent of the Rural Preservation Overlay District, upon development of these lots.

**DEVELOPMENT STANDARDS**

*Pursuant to Title 19.08, the following development standards apply:*

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	6,500 SF	6,505 SF	Y
Min. Lot Width	65 Feet	66 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y*
• Side	5 Feet	5 Feet	Y*
• Corner	15 Feet	15 Feet	Y*
• Rear	15 Feet	15 Feet	Y*
Max. Lot Coverage	50%	50%	Y*
Max. Building Height	1 Story	1 Story	Y**

\* If these standards are not satisfied at the time of development, a Variance will be required for any deviation.

**TMP-28062 - Staff Report Page Four**  
**June 26, 2008 - Planning Commission Meeting**

\*\* A condition of approval for Rezoning (ZON-12235) requires the single family homes to be one story in height.

**ANALYSIS**

This is a request for a Tentative Map for a proposed 64-lot single-family residential development on 12.90 acres adjacent to the north side of Dorrell Lane, approximately 450 feet west of Decatur Boulevard. The proposed lots will have a minimum size of 6,500 square feet and a maximum lot size of 9,868 square feet. A previous Tentative Map (TMP-14244) was approved for a 64-lot single family residential subdivision, but this entitlement will expire on 07/27/08 requiring the submittal of this Tentative Map request. As this Tentative Map satisfies conditions of approval from the parent applications Rezoning (ZON-12235) and Special Use Permit (SUP-12705) staff recommends approval of this request.

**FINDINGS**

- **General information**

The proposed 64-lot single family residential subdivision is in compliance with all requirements. The submitted Tentative Map will define the layout for this subdivision as this is an R-1 (Single Family Residential) District and therefore a Site Development Plan Review is not required. This proposal has 39-foot wide private streets. The site meets the conditions of approval from the parent applications and approval of this Tentative Map is recommended.

In the previous Rezoning (ZON-12235) case, Condition 10 from states that: “Unless otherwise allowed by an approved waiver, the entrance to this site from Dorrell Lane shall align with the subdivision entrance on the south side of Dorrell Lane or be offset a minimum 220 feet from the opposing entrance.” It is noted that a crash gate has been added to the entrance along the south side of Dorrell Lane. This condition is no longer applicable as these streets are not considered an intersection. A letter from Public Works and Planning has been added to the file of Rezone (ZON-12235) addressing this matter.

All street names have not been approved by the Fire Communications Center. The street names for this development shall be approved by the Fire Communications Center prior to submittal of a Final Map.

**TMP-28062 - Staff Report Page Five**  
**June 26, 2008 - Planning Commission Meeting**

- **Cross Section**

The submitted cross-sections indicate that the proposed grades will largely match existing topographical conditions across this site. The cross-sections depict a maximum natural grade between 0% and 2% across this site. Per Title 19.12.075 a development with a natural slope between 0% to 2%, such as this development, is allowed a maximum 4-foot retaining wall. The submitted cross sections indicate a maximum retaining wall height of 2 feet along the east perimeter which therefore complies with Title 19.12.075. The maximum height of the proposed screening wall is 6 feet, leaving the total height equal to the 8-foot limitation as required in Title 19.12.075.

- **Trails**

There are no transportation trails within this development; therefore this project satisfies the trail component of a Tentative Map.

- **Special Conditions of Approval (ZON-12235)**

1. A General Plan Amendment (GPA-12234) to a L (Low Density Residential) land use designation approved by City Council
2. A Resolution of Intent with a two-year time limit is hereby granted
3. All development on this site shall be single story
4. Construct half-street improvements including appropriate transition paving on Donald Road, to match the existing improvements on the north side, and rural improvements on Dorrell Lane adjacent to this site concurrent with development of this site. Rural improvements shall match the existing improvements adjacent to this site to the west. Unless otherwise allowed by the City Engineer, street lights shall be constructed at all exterior intersections; all necessary underground conduit and pull boxes at each streetlight location, but the installation of the streetlights shall be deferred provided that the developer provide to the City such streetlights for the future installation. Alternatively, monies in lieu of such deferred streetlights, including bases, may be contributed to the City if allowed by the Department of Public Works. Coordinate with the Land Development Section of Public works regarding street lighting requirements prior to the submittal of construction drawings. Sign and record a



**TMP-28062 - Staff Report Page Six**  
**June 26, 2008 - Planning Commission Meeting**

covenant running with the land for all urban improvements not constructed at this time on Dorrell Lane. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

5. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect to this site to the existing public sewer system have been granted to the City.
6. The triangular area north of Common Lot "A" at the end of the Donald Road cul-de-sac shall be included as part of Common Lot and shall be landscaped and maintained.
7. A Homeowners' Association shall be established to maintain all private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the development may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
9. The Final map for this site shall show all Site Visibility Restriction Zones (S.V.R.Z.'s) at all intersections.

**TMP-28062 - Staff Report Page Seven**  
**June 26, 2008 - Planning Commission Meeting**

10. Unless otherwise allowed by an approved waiver, the entrance to this site from Dorrell Lane shall align with the subdivision entrance on the south side of Dorrell Lane or be offset a minimum of 220 feet from the opposing entrance. \* This condition is no longer required, due to this is not considered an intersection.
11. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map
12. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first
13. Meet with the Clark County School District to discuss the impact this site plan has on the District's schools, and to identify possible methods to mitigate the impacts.

**NOTICES MAILED**                      N/A

**APPROVALS**                                      0

**PROTESTS**                                      0